

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

BRENT GILMORE, GARY  
LIVINGSTON, WILLIAM J. OTTS, and  
RICHARD PESCHAU,

Plaintiffs,

**V.**

THOMAS D. POTTER, JOHN  
HAESSLER, MARK H. BALE, MARVIN  
P. EHLY, KRISTA FRANK, SUSIE  
KEISLER-MUNRO, KEITH  
PRETTYMAN, FREDERICK R.  
RICKERS, and ASSURITY LIFE  
INSURANCE.

Defendants.

8:03CV305

ORDER

The court has been advised by the parties that this case will not proceed to trial. Therefore,

IT IS ORDERED that:

1. The parties shall file a joint stipulation in compliance with comply with Fed. R. Civ. P. 41, **on or before August 8, 2006**.
2. Absent compliance with this order, this case may be dismissed without further notice in accordance with NECivR 68.1.
3. The trial currently scheduled for July 31, 2006, is canceled.

DATED this 25th day of July, 2006.

BY THE COURT:

s/ Joseph F. Bataillon  
JOSEPH F. BATAILLON  
United States District Judge